

1 BILL NO. Z-83- 02-12

2 ZONING MAP ORDINANCE NO. Z- Lost.

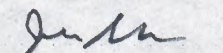
3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. N-10.

5
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7 INDIANA:

8 SECTION 1. That the area described as follows is hereby
9 designated a B-3-B (General Business) District under the terms of Chapter 33
10 of the Code of the City of Fort Wayne, Indiana of 1974:

11 Lots 1 and 2 of Joseph W. Bell's Subdivision;
12 and the symbols of the City of Fort Wayne Zoning Map No. N-10, as established
13 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
14 are hereby changed accordingly.

15 SECTION 2. That this Ordinance shall be in full force and
16 effect from and after its passage and approval by the Mayor and the legal
17 publication thereof.

18 
19 _____
20 COUNCILMEMBER

21 APPROVED AS TO FORM AND LEGALITY

22 
23 _____
24 BRUCE O. BOXBERGER, CITY ATTORNEY
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Read the first time in full and on motion by Steve, seconded by Jim Junta, and duly adopted, read the second time by title and referred to the Committee of regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock ____ .M., E.S.T.

DATE: 2-8-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Steve, seconded by Jim Junta, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	<u>9</u>	_____	_____	_____
<u>BRADBURY</u>	_____	<u>✓</u>	_____	_____	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GiaQUINTA</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHOMBURG</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCRUGGS</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 3-22-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock ____ .M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of _____ 19____, at the hour of _____ o'clock ____ .M., E.S.T.

WIN MOSES, JR. - MAYOR

THIS IS TO BE FILED IN DUPLICATE

RECEIVED

JAN 13 1983

FORT WAYNE

CITY PLANNING COMMISSION

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

I/We Kenneth B. Angel

(City Planning Commission or Names)

to hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an B3B District the property described as follows:

1406 Tecumseh Ave.

(Legal Description) If additional space is needed, use reverse side.

all of

Lots 1 and 2 of Joseph W. Bell's Subdivision

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Kenneth B. Angel

R. R. #1 Columbia City, Ind.

Eugene Kitson

1206 Columbia Ave. Ft. Wa., Ind.

Kenneth B. Angel

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Kenneth B. Angel
(Name)

1206 Columbia Ave. Ft. Wayne 46805
(Address & Zip Code)

422-1240
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 8, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-02-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 14, 1983;

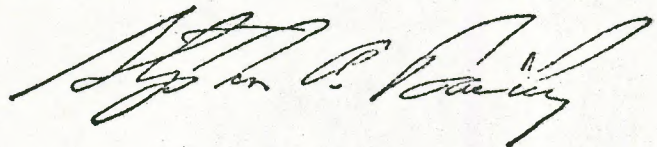
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findind of Facts".

- (1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes sustantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 28, 1983.

Certified and signed this
1st day of March, 1983.



Stephen A. Bailey
Secretary

BILL NO. Z-83-02-12

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. N-10

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE do not PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

3-22-83

CONCURRED IN

DATE CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 8140

FT. WAYNE, IND., 4/13 19 83

RECEIVED FROM Kenneth B. Angel \$ 50.00

THE SUM OF Fifty and 00/100 DOLLARS

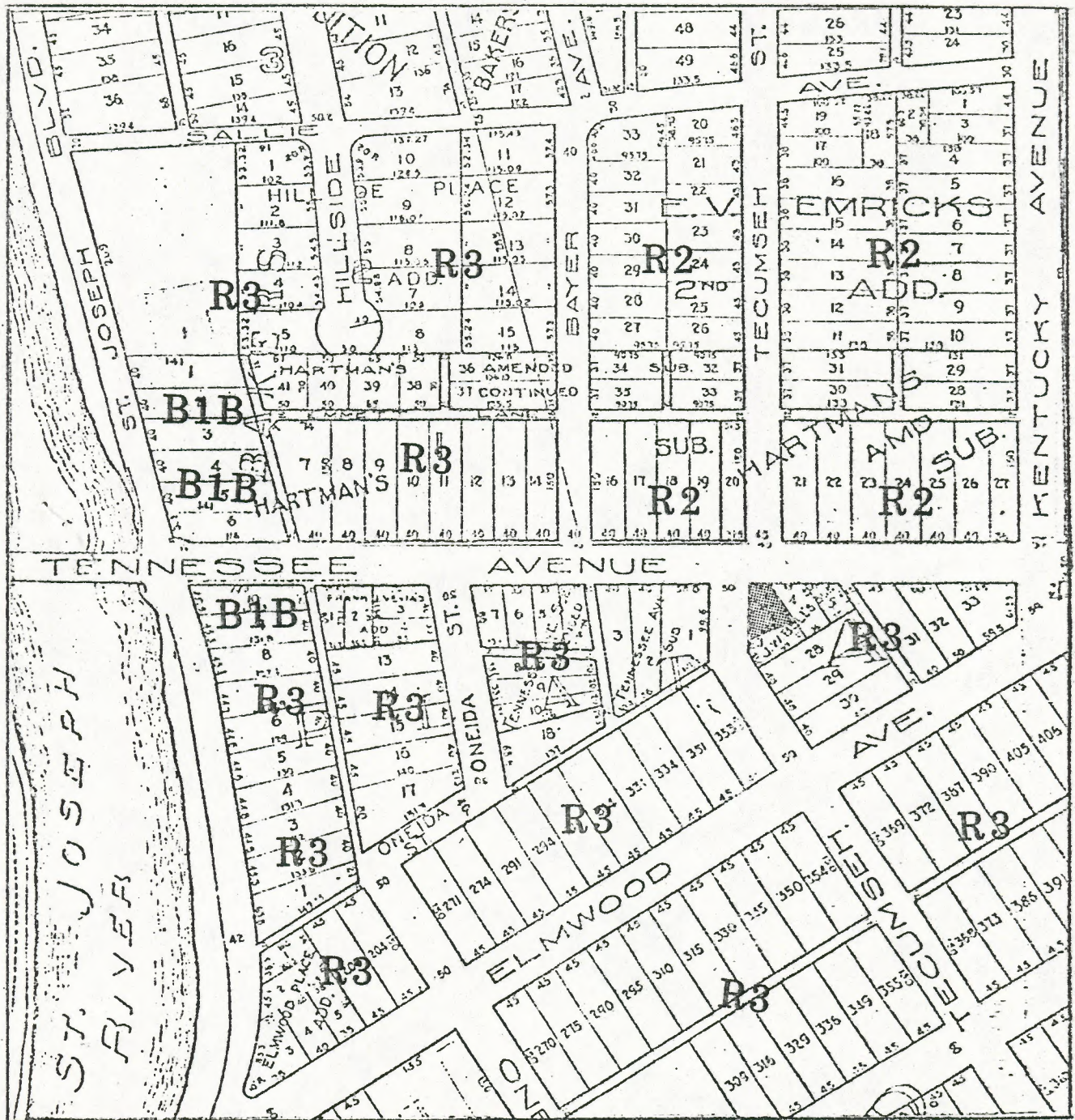
ON ACCOUNT OF 1406 Tecumseh

ck 532

Reopening petition from B-1-B to
B-3-B

AUTHORIZED SIGNATURE

Kenneth B. Angel



REQUEST TO CHANGE FROM R-3
TO B3B ZONING

Map No N-10

Z-83-02-12

N



ORIGINAL

6177

TITLE OF ORDINANCE Zoning Ordinance AmendmentDEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&PSYNOPSIS OF ORDINANCE Lots 1 and 2 of Joseph W. Bell's Subdivision.

3-83-02-121

EFFECT OF PASSAGE Property is now zoned B-1-B - Limited Business. Property
will become B-3-B - General Business.

EFFECT OF NON-PASSAGE Property will remain B-1-B - Limited Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 March 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held February 28, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-02-12
2. From R-3 to B-3-B
3. Intended Use: Not Given
4. Plan Commission Recommendation: DO NOT PASS

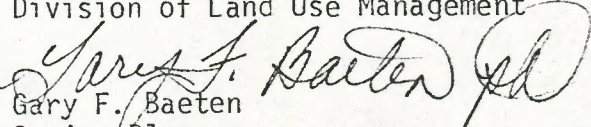
This ordinance received a DO NOT PASS recommendation for the following reasons:

- REASONS:
- a. The use or value of the area adjacent to the property included in the rezoning will be adversely affected.
 - b. The strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Land Use Management


Gary F. Baeten
Senior Planner

GFB:pb

Attachments